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 HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

MMCA GROUP, LTD., a Virginia corporation,  
 Plaintiff,

v.

HEWLETT-PACKARD COMPANY, a  
 Delaware corporation, PINKERTON  
 CONSULTING & INVESTIGATIONS, INC., a  
 Delaware corporation; BUSINESS RISKS  
 INTERNATIONAL, LIMITED, an United  
 Kingdom corporation, d/b/a PINKERTON  
 CONSULTING & INVESTIGATIONS –  
 EUROPE, PICA, an Ohio corporation,  
 Defendants.

CASE NO. C06-7067MMC (EMC)

**STIPULATION AND ~~PROPOSED~~  
 ORDER SHORTENING TIME ON  
 BRIEFING AND HEARING OF  
 DEFENDANT HEWLETT-PACKARD  
 COMPANY'S MOTION TO CONTINUE  
 TRIAL AND PRETRIAL DATES OR, IN  
 THE ALTERNATIVE, TO MODIFY  
 BRIEFING SCHEDULE FOR *DAUBERT*  
 MOTION**

[Fed. R. Civ. P. 6(b); Civ. L.R. 6-1, 6-2, 7-11 7-12]

[No Hearing Required]

Place: Courtroom 7, Floor 19  
 Judge: Hon. Maxine M. Chesney

**STIPULATION**

Plaintiff MMCA Group Ltd. (“MMCA”) and defendants Hewlett-Packard Company (“HP”) and PICA Corporation (“PICA”) respectfully submit this Stipulation and [Proposed] Order pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rules 6-1, 6-2, 7-11, and 7-12, requesting that the Court shorten the time for the briefing and hearing of HP’s Motion to Continue Trial and Pretrial Dates or, in the Alternative, to Modify Pretrial Briefing Schedule for *Daubert* Motion (“HP’s Motion to Continue”), filed on December 4, 2009.

This Stipulated Request is supported by good cause. Pursuant to the Second Amended Pretrial Preparation Order dated June 15, 2009 (Docket No. 544), trial is set to begin in this case on January 19, 2010, and the pretrial conference is scheduled for January 5, 2010. The deadline for filing motions in limine, and other pretrial documents, is 10 court days before the pretrial conference, or December 18, 2009.

For reasons that will be addressed in the moving and opposing papers in the Motion to Continue, MMCA’s damages expert, Randy Sugarman, will likely be unavailable for deposition until December 21, 2009, which is three days after the current deadline for filing motions in limine. In HP’s Motion to Continue, HP requests a brief continuance of the trial and pretrial dates, so that it can depose Mr. Sugarman and prepare its *Daubert* motion on a reasonable schedule. MMCA opposes HP’s request for a continuance of the trial. In the alternative, HP requests an extension of the deadline for filing its *Daubert* motion until December 24, 2009, or three days after Mr. Sugarman’s deposition. MMCA does not oppose this alternative request.

If HP’s Motion to Continue were to follow the regular motion schedule, it would not be heard until January 8, 2010, on the eve of trial and well after the December 18, 2009 deadline for filing motions in limine. The parties agree that the issues raised in HP’s Motion to Continue should be expedited to the extent possible.

For the reasons discussed above, the parties respectfully request the Court to set the briefing and hearing schedule of HP's Motion to Continue as follows:

Deadline for Filing Opposition to HP's Motion to Continue	December 8, 2009
Deadline for Filing Reply in Support of HP's Motion to Continue	December 10, 2009
Hearing on HP's Motion to Continue	December 11, 2009, 9:00 a.m.

DATED: December 4, 2009

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DATED: December 4, 2009

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1 DATED: December 4, 2009

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**~~PROPOSED~~ ORDER SHORTENING TIME**

IT IS HEREBY ORDERED that the time for the briefing and hearing of HP's Motion to Continue Trial and Pretrial Dates or, in the Alternative, to Modify Pretrial Briefing Schedule for *Daubert* Motion ("HP's Motion to Continue"), filed on December 4, 2009, shall be set as follows:


Deadline for Filing Opposition to HP's Motion to Continue December 8, 2009

Deadline for Filing Reply in Support of HP's Motion to Continue December 10, 2009 at 10:00 a.m.; chambers copies due by noon same day

Hearing on HP's Motion to Continue December 11, 2009, 9:00 a.m.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: December 4, 2009

  
Hon. Maxine M. Chesney  
United States District Court Judge

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